

AMENDED IN ASSEMBLY AUGUST 14, 2013

AMENDED IN ASSEMBLY JUNE 10, 2013

AMENDED IN SENATE APRIL 18, 2013

**SENATE BILL**

**No. 788**

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**Introduced by Committee on Transportation and Housing (Senators  
DeSaulnier (Chair), Beall, Cannella, Gaines, Galgiani, Hueso,  
Lara, Liu, Pavley, Roth, and Wyland)**

February 22, 2013

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An act to amend Section 21080 of the Public Resources Code, to amend Section 6480.1 of the Revenue and Taxation Code, to amend Sections 301, 319, 325, 339, 349, 358, 366, 368, 374, 382, 386, 430, 622.1, and 890.4 of, and to repeal Section 301.2 of, the Streets and Highways Code, and to amend Sections 585, 5022, 5023, 5068, 5072, 5101.7, 5106, 12517.1, 14606, and 42007 of, to add Sections 385.2 and 385.3 to, and to repeal Sections 378 and 379 of, the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 788, as amended, Committee on Transportation and Housing. Transportation.

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already

in use, including modernization of existing stations and parking facilities.

This bill would define the term “highway” for these purposes.

(2) Existing law requires that on July 1 of each succeeding year, the prepayment rate of the retail sales tax per gallon for aircraft jet fuel, rounded to the nearest \$0.005, be established by the State Board of Equalization based upon 80% of the combined state and local sales tax rate, as specified, on the arithmetic average selling price, excluding sales and state excise taxes, as determined by the board. Existing law requires the board to make its determination of the rate no later than March 1 of the year prior to the effective date of the new rate. Existing law requires that immediately upon making its determination and setting of the rate, the board must each year, no later than May 1, notify every supplier, wholesaler, and retailer of aircraft jet fuel. Existing law permits the board to readjust the rate in the event the price of aircraft jet fuel decreases or increases, and the established rate results in prepayments that consistently exceed or are significantly lower than the retailers’ sales tax liability.

This bill would revise the provision that requires the board to make its determination of the rate no later than March 1 of the year prior to the effective date of the new rate, and instead would require this determination to be made no later than March 1 of the same year as the effective date of the new rate. The bill would make other conforming changes.

(3) Existing law gives the Department of Transportation full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would authorize the commission to relinquish portions of State Highway Routes 68, 74, and 86 to local agencies under certain conditions. This bill would also authorize the commission to relinquish a portion of State Highway Route 25 in the City of Hollister to that city prior to relocation of that route to a proposed new easterly bypass alignment, under certain conditions, and would thereafter require the commission to adopt the new bypass alignment into the state highway system, as specified. This bill would revise the descriptions of certain authorized state highway routes to reflect implementation of previously-authorized relinquishments. This bill would repeal an existing

requirement that the City of Auburn ensure the continuity of traffic flow, including any traffic signal progression, on a former portion of State Highway Route 49 previously relinquished to it. The bill would make other related changes.

(4) Existing law defines “bikeway” for certain purposes to mean all facilities that provide primarily for bicycle travel. Existing law categorizes bikeways into 3 classes of facilities.

This bill would make various modifications to these provisions.

(5) Existing law defines the terms “logging dolly,” “logging vehicle,” “station wagon,” and “schoolbus accident” for purposes of the Vehicle Code.

This bill would renumber certain of these provisions and revise the definitions of logging dolly, station wagon, and schoolbus accident.

(6) Existing law authorizes the Department of Motor Vehicles to issue various specialized license plates, including license plates commemorating the Olympics. Existing law also provides for the issuance of substitute or duplicate Olympic license plates under certain conditions, and for issuance of Olympic plates as environmental license plates with a special series of letters or numbers. Existing law allows an existing holder of Olympic license plates to renew them or transfer them to another vehicle.

This bill would provide that substitute or duplicate Olympic license plates shall not be available beginning on January 1, 2014. The bill would provide for the department to issue regular series plates whenever holders of Olympic plates request substitute or duplicate plates, and, in that regard, would also authorize holders of Olympic plates issued as environmental license plates to apply for other special license plates to be issued with the same combination of letters or numbers as appear on their Olympic plates. The bill would make other conforming changes.

(7) Existing law provides for certain revenues derived from Olympic license plates to be deposited in the California Olympic Training Account in the General Fund. Existing law requires the Controller to annually transfer the moneys in that account to the General Fund.

This bill would instead provide for deposit of those revenues directly into the General Fund.

(8) Existing law also authorizes the Department of Motor Vehicles to issue specialized license plates for veterans’ associations and to fund child health and safety programs. Existing law requires payment of an additional specified charge for personalization of these plates.

This bill would provide that these specialized license plates are not subject to the payment of another charge generally applicable to personalization of license plates.

(9) Existing law prohibits a person from employing, hiring, knowingly permitting, or authorizing any person to drive a motor vehicle owned by him or her or under his or her control upon the highways unless that person is licensed for the appropriate class of vehicle to be driven. Existing law requires that whenever a person fails to qualify, on reexamination, to operate a commercial motor vehicle, an employer shall report that failure to the Department of Motor Vehicles within 10 days. Existing law requires that, until January 30, 2014, if a driver has no medical certification status information in the Commercial Driver License Information System motor vehicle record obtained from the driver's state licensing agency, the employing motor carrier may accept as proof of medical certification a medical examiner's certificate issued to that driver prior to January 30, 2012. Existing law, operative January 1, 2014, requires an employer to obtain from a driver required to have a commercial driver's license or commercial endorsement a copy of the driver's medical certification before allowing the driver to operate a commercial motor vehicle. Existing law requires the employer to retain the certification as part of a driver qualification file.

This bill would change the provision with an operative date of January 1, 2014, to instead become operative on January 30, 2014.

(10) Existing law allows an individual convicted of a traffic offense to attend a traffic violator school course under certain circumstances. Completion of the course results in confidentiality of the conviction on the driving record, except in the case of an individual with a commercial driver's license, in which case completion of the course results in a nonconfidential conviction with no violation points on the driving record. Existing law requires the courts, in a courtesy notice sent to a driver with a traffic citation, to include specified information on the effect on the driving record of attending a traffic violator school course.

This bill would revise the text of the required courtesy notice to reflect the distinction between noncommercial and commercial driver's licenses.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 21080 of the Public Resources Code is  
2 amended to read:

3     21080. (a) Except as otherwise provided in this division, this  
4 division shall apply to discretionary projects proposed to be carried  
5 out or approved by public agencies, including, but not limited to,  
6 the enactment and amendment of zoning ordinances, the issuance  
7 of zoning variances, the issuance of conditional use permits, and  
8 the approval of tentative subdivision maps unless the project is  
9 exempt from this division.

10    (b) This division does not apply to any of the following  
11 activities:

12    (1) Ministerial projects proposed to be carried out or approved  
13 by public agencies.

14    (2) Emergency repairs to public service facilities necessary to  
15 maintain service.

16    (3) Projects undertaken, carried out, or approved by a public  
17 agency to maintain, repair, restore, demolish, or replace property  
18 or facilities damaged or destroyed as a result of a disaster in a  
19 disaster-stricken area in which a state of emergency has been  
20 proclaimed by the Governor pursuant to Chapter 7 (commencing  
21 with Section 8550) of Division 1 of Title 2 of the Government  
22 Code.

23    (4) Specific actions necessary to prevent or mitigate an  
24 emergency.

25    (5) Projects which a public agency rejects or disapproves.

26    (6) Actions undertaken by a public agency relating to any  
27 thermal powerplant site or facility, including the expenditure,  
28 obligation, or encumbrance of funds by a public agency for  
29 planning, engineering, or design purposes, or for the conditional  
30 sale or purchase of equipment, fuel, water (except groundwater),  
31 steam, or power for a thermal powerplant, if the powerplant site  
32 and related facility will be the subject of an environmental impact  
33 report, negative declaration, or other document, prepared pursuant  
34 to a regulatory program certified pursuant to Section 21080.5,  
35 which will be prepared by the State Energy Resources Conservation  
36 and Development Commission, by the Public Utilities Commission,  
37 or by the city or county in which the powerplant and related facility  
38 would be located if the environmental impact report, negative

1 declaration, or document includes the environmental impact, if  
2 any, of the action described in this paragraph.

3 (7) Activities or approvals necessary to the bidding for, hosting  
4 or staging of, and funding or carrying out of, an Olympic games  
5 under the authority of the International Olympic Committee, except  
6 for the construction of facilities necessary for the Olympic games.

7 (8) The establishment, modification, structuring, restructuring,  
8 or approval of rates, tolls, fares, or other charges by public agencies  
9 which the public agency finds are for the purpose of (A) meeting  
10 operating expenses, including employee wage rates and fringe  
11 benefits, (B) purchasing or leasing supplies, equipment, or  
12 materials, (C) meeting financial reserve needs and requirements,  
13 (D) obtaining funds for capital projects necessary to maintain  
14 service within existing service areas, or (E) obtaining funds  
15 necessary to maintain those intracity transfers as are authorized  
16 by city charter. The public agency shall incorporate written findings  
17 in the record of any proceeding in which an exemption under this  
18 paragraph is claimed setting forth with specificity the basis for the  
19 claim of exemption.

20 (9) All classes of projects designated pursuant to Section 21084.

21 (10) A project for the institution or increase of passenger or  
22 commuter services on rail or highway rights-of-way already in  
23 use, including modernization of existing stations and parking  
24 facilities. For purposes of this paragraph, "highway" shall have  
25 the same meaning as defined in Section 360 of the Vehicle Code.

26 (11) A project for the institution or increase of passenger or  
27 commuter service on high-occupancy vehicle lanes already in use,  
28 including the modernization of existing stations and parking  
29 facilities.

30 (12) Facility extensions not to exceed four miles in length which  
31 are required for the transfer of passengers from or to exclusive  
32 public mass transit guideway or busway public transit services.

33 (13) A project for the development of a regional transportation  
34 improvement program, the state transportation improvement  
35 program, or a congestion management program prepared pursuant  
36 to Section 65089 of the Government Code.

37 (14) Any project or portion thereof located in another state  
38 which will be subject to environmental impact review pursuant to  
39 the National Environmental Policy Act of 1969 (42 U.S.C. Sec.  
40 4321 et seq.) or similar state laws of that state. Any emissions or

1 discharges that would have a significant effect on the environment  
2 in this state are subject to this division.

3 (15) Projects undertaken by a local agency to implement a rule  
4 or regulation imposed by a state agency, board, or commission  
5 under a certified regulatory program pursuant to Section 21080.5.  
6 Any site-specific effect of the project which was not analyzed as  
7 a significant effect on the environment in the plan or other written  
8 documentation required by Section 21080.5 is subject to this  
9 division.

10 (c) If a lead agency determines that a proposed project, not  
11 otherwise exempt from this division, would not have a significant  
12 effect on the environment, the lead agency shall adopt a negative  
13 declaration to that effect. The negative declaration shall be prepared  
14 for the proposed project in either of the following circumstances:

15 (1) There is no substantial evidence, in light of the whole record  
16 before the lead agency, that the project may have a significant  
17 effect on the environment.

18 (2) An initial study identifies potentially significant effects on  
19 the environment, but (A) revisions in the project plans or proposals  
20 made by, or agreed to by, the applicant before the proposed  
21 negative declaration and initial study are released for public review  
22 would avoid the effects or mitigate the effects to a point where  
23 clearly no significant effect on the environment would occur, and  
24 (B) there is no substantial evidence, in light of the whole record  
25 before the lead agency, that the project, as revised, may have a  
26 significant effect on the environment.

27 (d) If there is substantial evidence, in light of the whole record  
28 before the lead agency, that the project may have a significant  
29 effect on the environment, an environmental impact report shall  
30 be prepared.

31 (e) (1) For the purposes of this section and this division,  
32 substantial evidence includes fact, a reasonable assumption  
33 predicated upon fact, or expert opinion supported by fact.

34 (2) Substantial evidence is not argument, speculation,  
35 unsubstantiated opinion or narrative, evidence that is clearly  
36 inaccurate or erroneous, or evidence of social or economic impacts  
37 that do not contribute to, or are not caused by, physical impacts  
38 on the environment.

39 (f) As a result of the public review process for a mitigated  
40 negative declaration, including administrative decisions and public

1 hearings, the lead agency may conclude that certain mitigation  
2 measures identified pursuant to paragraph (2) of subdivision (c)  
3 are infeasible or otherwise undesirable. In those circumstances,  
4 the lead agency, prior to approving the project, may delete those  
5 mitigation measures and substitute for them other mitigation  
6 measures that the lead agency finds, after holding a public hearing  
7 on the matter, are equivalent or more effective in mitigating  
8 significant effects on the environment to a less than significant  
9 level and that do not cause any potentially significant effect on the  
10 environment. If those new mitigation measures are made conditions  
11 of project approval or are otherwise made part of the project  
12 approval, the deletion of the former measures and the substitution  
13 of the new mitigation measures shall not constitute an action or  
14 circumstance requiring recirculation of the mitigated negative  
15 declaration.

16 (g) Nothing in this section shall preclude a project applicant or  
17 any other person from challenging, in an administrative or judicial  
18 proceeding, the legality of a condition of project approval imposed  
19 by the lead agency. If, however, any condition of project approval  
20 set aside by either an administrative body or court was necessary  
21 to avoid or lessen the likelihood of the occurrence of a significant  
22 effect on the environment, the lead agency's approval of the  
23 negative declaration and project shall be invalid and a new  
24 environmental review process shall be conducted before the project  
25 can be reapproved, unless the lead agency substitutes a new  
26 condition that the lead agency finds, after holding a public hearing  
27 on the matter, is equivalent to, or more effective in, lessening or  
28 avoiding significant effects on the environment and that does not  
29 cause any potentially significant effect on the environment.

30 SEC. 2. Section 6480.1 of the Revenue and Taxation Code is  
31 amended to read:

32 6480.1. (a) At any time that motor vehicle fuel tax or diesel  
33 fuel tax is imposed or would be imposed, but for the dyed diesel  
34 fuel exemption in paragraph (1) of subdivision (a) of Section  
35 60100, or the train operator exemption in paragraph (7) of  
36 subdivision (a) of Section 60100 or paragraph (11) of subdivision  
37 (a) of Section 7401, or, pursuant to subdivision (f) of Section 6480,  
38 would be deemed to be imposed, on any removal, entry, or sale in  
39 this state of motor vehicle fuel, aircraft jet fuel, or diesel fuel, the  
40 supplier shall collect prepayment of retail sales tax from the person



to whom the motor vehicle fuel, aircraft jet fuel, or diesel fuel is sold. However, if no sale occurs at the time of imposition of motor vehicle fuel tax or diesel fuel tax, the supplier shall prepay the retail sales tax on that motor vehicle fuel, aircraft jet fuel, or diesel fuel. The prepayment required to be collected by the supplier constitutes a debt owed by the supplier to this state until paid to the board, until satisfactory proof has been submitted to prove that the retailer of the fuel has paid the retail sales tax to the board, or until a supplier or wholesaler who has consumed the fuel has paid the use tax to the board. Each supplier shall report and pay the prepayment amounts to the board, in a form as prescribed by the board, in the period in which the fuel is sold. On each subsequent sale of that fuel, each seller, other than the retailer, shall collect from his or her purchaser a prepayment computed using the rate applicable at the time of sale. Each supplier shall provide his or her purchaser with an invoice for, or other evidence of, the collection of the prepayment amounts which shall be separately stated thereon.

(b) (1) A wholesaler shall collect prepayment of the retail sales tax from the person to whom the motor vehicle fuel, aircraft jet fuel, or diesel fuel is sold. Each wholesaler shall provide his or her purchaser with an invoice for or other evidence of the collection of the prepayment amounts, which shall be separately stated thereon.

(2) Each wholesaler shall report to the board, in a form as prescribed by the board and for the period in which the motor vehicle fuel, aircraft jet fuel, or diesel fuel was sold, all of the following:

(A) The number of gallons of fuel sold and the amount of sales tax prepayments collected by the wholesaler.

(B) The number of tax-paid gallons purchased and the amount of sales tax prepayments made by the wholesaler.

(C) In the event that the amount of sales tax prepayments collected by the wholesaler is greater than the amount of sales tax prepayments made by the wholesaler, then the excess constitutes a debt owed by the wholesaler to the state until paid to the board, or until satisfactory proof has been submitted that the retailer of the fuel has paid the tax to the board.

(c) A supplier or wholesaler who pays the prepayment and issues a resale certificate to the seller, but subsequently consumes the

1 motor vehicle fuel, aircraft jet fuel, or diesel fuel, shall be entitled  
2 to a credit against his or her sales and use taxes due and payable  
3 for the period in which the prepayment was made, provided that  
4 he or she reports and pays the use tax to the board on the  
5 consumption of that fuel.

6 (d) The amount of a prepayment paid by the retailer or a supplier  
7 or wholesaler who has consumed the motor vehicle fuel, aircraft  
8 jet fuel, or diesel fuel to the seller from whom he or she acquired  
9 the fuel shall constitute a credit against his or her sales and use  
10 taxes due and payable for the period in which the sale was made.  
11 Failure of the supplier or wholesaler to report prepayments or the  
12 supplier's or wholesaler's failure to comply with any other duty  
13 under this article shall not constitute grounds for denial of the  
14 credit to the retailer, supplier, or wholesaler, either on a temporary  
15 or permanent basis or otherwise. To be entitled to the credit, the  
16 retailer, supplier, or wholesaler shall retain for inspection by the  
17 board any receipts, invoices, or other documents showing the  
18 amount of sales tax prepaid to his or her supplier, together with  
19 the evidence of payment.

20 (e) The rate of the prepayment required to be collected during  
21 the period from July 1, 1986, through March 31, 1987, shall be  
22 four cents (\$0.04) per gallon of motor vehicle fuel distributed or  
23 transferred.

24 (f) The rate of prepayment required to be collected for motor  
25 vehicle fuel, aircraft jet fuel, and diesel fuel as established by the  
26 board in effect on January 1, 2013, shall remain in effect through  
27 June 30, 2013.

28 (g) On July 1 of each succeeding year, the prepayment rate per  
29 gallon for motor vehicle fuel, rounded to the nearest one-half of  
30 one cent (\$0.005), of the required prepayment shall be established  
31 by the board based upon 80 percent of the combined state and local  
32 sales tax rate established by Sections 6051, 6051.2, 6051.3, 6051.5,  
33 7202, and 7203.1, and Section 35 of Article XIII of the California  
34 Constitution on the arithmetic average selling price (excluding  
35 sales tax) as reported by an industry publication of all grades of  
36 gasoline sold through a self-service gasoline station. The board  
37 shall make its determination of the rate no later than March 1 of  
38 the same year as the effective date of the new rate. Immediately  
39 upon making its determination and setting of the rate, the board  
40 shall each year, no later than May 1, notify every supplier,

1 wholesaler, and retailer of motor vehicle fuel. In the event the price  
2 of fuel decreases or increases or an exemption from sales tax for  
3 sales of fuel is enacted, and the established rate results in or could  
4 result in prepayments which consistently exceed or are significantly  
5 lower than the retailers' sales tax liability, the board may readjust  
6 the rate.

7 (h) On July 1 of each succeeding year, the prepayment rate per  
8 gallon for aircraft jet fuel, rounded to the nearest one-half of one  
9 cent (\$0.005), shall be established by the board based upon 80  
10 percent of the combined state and local sales tax rate established  
11 by Sections 6051, 6051.2, 6051.3, 6051.5, 7202, and 7203.1, and  
12 Section 35 of Article XIII of the California Constitution on the  
13 arithmetic average selling price (excluding sales and state excise  
14 taxes) as determined by the board based on published industry  
15 reports. The board shall make its determination of the rate no later  
16 than March 1 of the same year as the effective date of the new rate.  
17 Immediately upon making its determination and setting of the rate,  
18 the board shall each year, no later than May 1, notify every  
19 supplier, wholesaler, and retailer of aircraft jet fuel. In the event  
20 the price of aircraft jet fuel decreases or increases, and the  
21 established rate results in prepayments that consistently exceed or  
22 are significantly lower than the retailers' sales tax liability, the  
23 board may readjust the rate.

24 (i) On July 1 of each succeeding year, the prepayment rate per  
25 gallon for diesel fuel, rounded to the nearest one-half of one cent  
26 (\$0.005), shall be established by the board based upon 80 percent  
27 of the combined state and local sales tax rate established by  
28 Sections 6051, 6051.2, 6051.3, 6051.5, 6051.8, 7202, and 7203.1,  
29 and Section 35 of Article XIII of the California Constitution on  
30 the arithmetic average selling price (excluding sales and state  
31 excise taxes) as determined by the board based on published  
32 industry reports. The board shall make its determination of the rate  
33 no later than March 1 of the same year as the effective date of the  
34 new rate. Immediately upon making its determination and setting  
35 of the rate, the board shall each year, no later than May 1, notify  
36 every supplier, wholesaler, and retailer of diesel fuel. In the event  
37 the rate of sales tax imposed on sales of diesel fuel increases or  
38 decreases or the price of diesel fuel decreases or increases, and the  
39 established rate results in or could result in prepayments that

1 consistently exceed or are significantly lower than the retailers'  
2 sales tax liability, the board may readjust the rate.

3 (j) (1) Notwithstanding any other provision of this section,  
4 motor vehicle fuel sold by a supplier or wholesaler to a qualified  
5 purchaser who, pursuant to a contract with the State of California  
6 or its instrumentalities, resells that fuel to the State of California  
7 or its instrumentalities shall be exempt from the prepayment  
8 requirements.

9 (2) A qualified purchaser who acquires motor vehicle fuel for  
10 subsequent resale to the State of California or its instrumentalities  
11 pursuant to this subdivision shall furnish to the supplier or  
12 wholesaler from whom the fuel is acquired an exemption  
13 certificate, completed in accordance with any instructions or  
14 regulations as the board may prescribe. The supplier or wholesaler  
15 shall retain the certificate in his or her records in support of the  
16 exemption. To qualify for the prepayment exemption, both of the  
17 following conditions shall apply:

18 (A) The qualified purchaser does not take possession of the fuel  
19 at any time.

20 (B) The fuel is delivered into storage tanks owned or leased by  
21 the State of California or its instrumentalities via facilities of the  
22 supplier or wholesaler, or by common or contract carriers under  
23 contract with the supplier or wholesaler.

24 (3) For purposes of this subdivision, "qualified purchaser" means  
25 a wholesaler who does not have or maintain a storage facility or  
26 facilities for the purpose of selling motor vehicle fuel.

27 SEC. 3. Section 301 of the Streets and Highways Code is  
28 amended to read:

29 301. Route 1 is from:

30 (a) Route 5 south of San Juan Capistrano to Route 101 near El  
31 Rio except for the portions of Route 1 relinquished:

32 (1) Within the city limits of the City of Dana Point between the  
33 western edge of the San Juan Creek Bridge and Eastline Road at  
34 the city limits of the City of Laguna Beach.

35 (2) Within the city limits of the City of Newport Beach between  
36 Jamboree Road and Newport Coast Drive.

37 (3) Within the city limits of the City of Santa Monica between  
38 the southern city limits and Route 10.

1 (b) Route 101 at Emma Wood State Beach, 1.3 miles north of  
2 Route 33, to Route 101, 2.8 miles south of the Ventura-Santa  
3 Barbara county line at Mobil Pier Undercrossing.

4 (c) Route 101 near Las Cruces to Route 101 in Pismo Beach  
5 via the vicinity of Lompoc, Vandenberg Air Force Base, and  
6 Guadalupe.

7 (d) Route 101 in San Luis Obispo to Route 280 south of San  
8 Francisco along the coast via Cambria, San Simeon, and Santa  
9 Cruz.

10 (e) Route 280 near the south boundary of the City and County  
11 of San Francisco to Route 101 near the approach to the Golden  
12 Gate Bridge in San Francisco.

13 (f) Route 101 near the southerly end of Marin Peninsula to Route  
14 101 near Leggett via the coast route through Jenner and Westport.

15 (g) The relinquished former portions of Route 1 within the Cities  
16 of Dana Point, Newport Beach, and Santa Monica are not state  
17 highways and are not eligible for adoption under Section 81. For  
18 those relinquished former portions of Route 1, the Cities of Dana  
19 Point, Newport Beach, and Santa Monica shall maintain within  
20 their respective jurisdictions signs directing motorists to the  
21 continuation of Route 1. The City of Newport Beach shall ensure  
22 the continuity of traffic flow on the relinquished portions of Route  
23 1 within its jurisdiction, including, but not limited to, any traffic  
24 signal progression.

25 (h) The commission may relinquish to the City of Oxnard the  
26 portion of Route 1 that is located within the city limits of that city  
27 and is between Pleasant Valley Road and Route 101, upon terms  
28 and conditions the commission finds to be in the best interests of  
29 the state, if the commission and the city enter into an agreement  
30 providing for that relinquishment.

31 (1) A relinquishment under this subdivision shall become  
32 effective immediately after the county recorder records the  
33 relinquishment resolution that contains the commission's approval  
34 of the terms and conditions of the relinquishment.

35 (2) On and after the effective date of the relinquishment, that  
36 portion of Route 1 relinquished shall cease to be a state highway  
37 and may not be considered for future adoption under Section 81.

38 (3) For portions of Route 1 relinquished under this subdivision,  
39 the City of Oxnard shall maintain within its jurisdiction signs  
40 directing motorists to the continuation of Route 1.

1 SEC. 4. Section 301.2 of the Streets and Highways Code is  
2 repealed.

3 SEC. 5. Section 319 of the Streets and Highways Code is  
4 amended to read:

5 319. (a) Route 19 is from the northern city limit of the City  
6 of Lakewood to Gardendale Street/Foster Road in the Cities of  
7 Bellflower and Downey.

8 (b) If the commission determines it is in the state's best interests  
9 to do so, it may do the following, pursuant to a cooperative  
10 agreement between the respective city and the department:

11 (1) Relinquish to the City of Bellflower the portion of Route 19  
12 between the city's southerly city limit near Rose Avenue and  
13 Gardendale Street/Foster Road.

14 (2) Relinquish to the City of Downey the portion of Route 19  
15 between the city's southerly city limit at Century Boulevard and  
16 Gardendale Street.

17 (c) A relinquishment under this section shall become effective  
18 when the county recorder records the relinquishment resolution  
19 containing the commissioner's approval of the relinquishment's  
20 terms and conditions.

21 (d) Any portion of Route 19 relinquished pursuant to this section  
22 shall cease to be a state highway on the effective date of the  
23 relinquishment.

24 (e) The relinquished former portions of Route 19 within the  
25 Cities of Downey, Lakewood, Long Beach, and Pico Rivera are  
26 not state highways and are not eligible for adoption under Section  
27 81. For the relinquished former portions of Route 19, the Cities of  
28 Downey, Lakewood, Long Beach, and Pico Rivera shall maintain  
29 within their respective jurisdictions signs directing motorists to  
30 the continuation of Route 19. The City of Lakewood shall ensure  
31 the continuity of traffic flow on the relinquished former portion  
32 of Route 19, including any traffic signal progression.

33 SEC. 6. Section 325 of the Streets and Highways Code is  
34 amended to read:

35 325. (a) Route 25 is from Route 198 to Route 101 near Gilroy.

36 (b) (1) Upon a determination by the commission that it is in  
37 the best interests of the state to do so, the commission may, upon  
38 terms and conditions approved by it, relinquish to the City of  
39 Hollister the portion of Route 25 that is located within the city's  
40 jurisdiction between Sunnyslope Road and San Felipe Road prior

1 to the relocation of that portion of Route 25 through adoption of  
2 the proposed new easterly bypass alignment of Route 25, if the  
3 department and the city enter into an agreement providing for that  
4 relinquishment.

5 (2) The terms and conditions imposed pursuant to paragraph  
6 (1) shall include a requirement for the City of Hollister to maintain  
7 within its jurisdiction signs directing motorists to the continuation  
8 of Route 25 until such time as the new easterly bypass alignment  
9 is adopted and opens to traffic.

10 (3) A relinquishment under this subdivision shall become  
11 effective immediately following the recording by the county  
12 recorder of the relinquishment resolution containing the  
13 commission's approval of the terms and conditions of the  
14 relinquishment.

15 (4) On and after the effective date of the relinquishment, both  
16 of the following shall apply:

17 (A) The relinquished former portion of Route 25 shall cease to  
18 be a state highway.

19 (B) The relinquished former portion of Route 25 may not be  
20 considered for future adoption under Section 81.

21 (5) Upon a determination by the commission that it is in the  
22 best interests of the state to do so, the commission shall, upon  
23 terms and conditions approved by it, adopt into the state highway  
24 system the proposed easterly bypass alignment for Route 25 that  
25 is located between Sunnyslope Road and San Felipe Road in the  
26 City of Hollister. The adoption may occur at any time after the  
27 effective date of the relinquishment pursuant to paragraph (3).

28 SEC. 7. Section 339 of the Streets and Highways Code is  
29 amended to read:

30 339. Route 39 is from:

31 (a) Route 1 near Huntington Beach to the southern city limit of  
32 Buena Park.

33 (b) Route 5 in Buena Park to Route 72 in La Habra via Beach  
34 Boulevard.

35 (c) Beach Boulevard to Harbor Boulevard in La Habra via  
36 Whittier Boulevard.

37 (d) Whittier Boulevard in La Habra to Route 2 via Harbor  
38 Boulevard to the vicinity of Fullerton Road, then to Azusa Avenue,  
39 Azusa Avenue to San Gabriel Canyon Road, San Gabriel Avenue  
40 southbound between Azusa Avenue and San Gabriel Canyon Road,

1 and San Gabriel Canyon Road, other than the portion of the  
2 segment described by this subdivision that is within the city limits  
3 of Azusa, Covina, and West Covina.

4 The relinquished former portions of Route 39 within the city  
5 limits of Azusa, Buena Park, Covina, and West Covina are not  
6 state highways and are not eligible for adoption under Section 81.  
7 For the relinquished former portions of Route 39, the Cities of  
8 Azusa, Buena Park, Covina, and West Covina shall maintain within  
9 their respective jurisdictions signs directing motorists to the  
10 continuation of Route 39.

11 SEC. 8. Section 349 of the Streets and Highways Code is  
12 amended to read:

13 349. (a) Route 49 is from:

14 (1) Route 41 near Oakhurst to Route 140 at Mariposa.

15 (2) Route 140 at Mariposa to Route 120 near Moccasin.

16 (3) Route 120 near Chinese Camp to Route 80 near Auburn via  
17 the vicinity of Sonora; via Angels Camp, San Andreas, and  
18 Jackson; and via the vicinity of El Dorado, Diamond Springs, and  
19 Placerville.

20 (4) Route 80 near Auburn to Route 20 in Grass Valley.

21 (5) Route 20 at Nevada City to Route 89 near Sattley via  
22 Downieville.

23 (6) Route 89 near Sierraville to Route 70 near Vinton via  
24 Loyalton.

25 (b) The relinquished former portion of Route 49 within the City  
26 of Auburn is not a state highway and is not eligible for adoption  
27 under Section 81. For the relinquished former portion of Route  
28 49, the City of Auburn shall maintain within its jurisdiction signs  
29 directing motorists to the continuation of Route 49. The city may  
30 apply to the department for approval of a business route designation  
31 in accordance with Chapter 20, Topic 21, of the Highway Design  
32 Manual.

33 SEC. 9. Section 358 of the Streets and Highways Code is  
34 amended to read:

35 358. (a) Route 58 is from:

36 (1) Route 101 near Santa Margarita to Route 33.

37 (2) Route 33 to Route 43.

38 (3) Route 43 to just west of Van Buren Place near Bakersfield.

39 (4) Mohawk Street near Bakersfield to Route 99.



1 (5) Route 99 to Route 15 near Barstow via Bakersfield and  
2 Mojave.

3 (b) Upon a determination by the commission that it is in the  
4 best interests of the state to do so, the commission may, upon terms  
5 and conditions approved by it, relinquish to the City of Bakersfield  
6 or the County of Kern the portion of Route 58 that is located within  
7 the jurisdiction of that city or county if the city or county agrees  
8 to accept it. The following conditions shall apply upon  
9 relinquishment:

10 (1) The relinquishment shall become effective on the date  
11 following the county recorder's recordation of the relinquishment  
12 resolution containing the commission's approval of the terms and  
13 conditions of the relinquishment.

14 (2) On and after the effective date of the relinquishment, the  
15 relinquished portion of Route 58 shall cease to be a state highway.

16 (3) The portion of Route 58 relinquished under this subdivision  
17 shall be ineligible for future adoption under Section 81.

18 (4) For the portion of Route 58 that is relinquished under this  
19 subdivision, the City of Bakersfield or the County of Kern shall  
20 install and maintain within the jurisdiction of the city or county  
21 signs directing motorists to the continuation of Route 58.

22 (c) The relinquished former portions of Route 58 within the  
23 unincorporated area of the County of Kern and within the City of  
24 Bakersfield are not state highways and are not eligible for adoption  
25 under Section 81. For the relinquished former portions of Route  
26 58, the County of Kern and the City of Bakersfield shall maintain  
27 within their respective jurisdictions signs directing motorists to  
28 the continuation of Route 58.

29 SEC. 10. Section 366 of the Streets and Highways Code is  
30 amended to read:

31 366. (a) Route 66 is from:

32 (1) Route 210 near San Dimas to the eastern city limit of the  
33 City of Pomona.

34 (2) The eastern city limit of the City of Rialto to Route 215 in  
35 San Bernardino.

36 (b) The relinquished former portions of Route 66 within the city  
37 limits of the Cities of Claremont, Fontana, Rancho Cucamonga,  
38 Rialto, and Upland are not state highways and are not eligible for  
39 adoption under Section 81. For the portions of Route 66  
40 relinquished under this section, the Cities of Claremont, Fontana,

1 Rancho Cucamonga, Rialto, and Upland shall maintain within  
2 their respective jurisdictions signs directing motorists to the  
3 continuation of Route 66 and shall ensure the continuity of traffic  
4 flow on the relinquished portions of Route 66, including any traffic  
5 signal progression.

6 SEC. 11. Section 368 of the Streets and Highways Code is  
7 amended to read:

8 368. (a) Route 68 is from:

9 (1) Asilomar State Beach to Route 1.

10 (2) Monterey to Route 101 in Salinas.

11 (b) (1) Upon a determination by the commission that it is in  
12 the best interests of the state to do so, the commission may, upon  
13 terms and conditions approved by it, relinquish to the City of  
14 Pacific Grove or the County of Monterey the portion of Route 68  
15 described in paragraph (1) of subdivision (a) located within the  
16 jurisdiction of the city or the unincorporated area of the county,  
17 respectively, if the department and the city or county enter into an  
18 agreement providing for that relinquishment.

19 (2) A relinquishment under this subdivision shall become  
20 effective immediately following the county recorder's recordation  
21 of the relinquishment resolution concerning the commission's  
22 approval of the terms and conditions of the relinquishment.

23 (3) On and after the effective date of the relinquishment, both  
24 of the following shall occur:

25 (A) The portion of Route 68 relinquished under this subdivision  
26 shall cease to be a state highway.

27 (B) The portion of Route 68 relinquished under this subdivision  
28 shall be ineligible for future adoption under Section 81.

29 (4) The city or county shall ensure the continuity of traffic flow  
30 on the relinquished former portion of Route 68 within its  
31 jurisdiction, including, but not limited to, any traffic signal  
32 progression.

33 (5) The city or county shall maintain signs on the relinquished  
34 former portion of Route 68 within its jurisdiction directing  
35 motorists to the continuation of Route 68.

36 SEC. 12. Section 374 of the Streets and Highways Code is  
37 amended to read:

38 374. (a) Route 74 is from:

39 (1) Route 5 near San Juan Capistrano to Route 15 near Lake  
40 Elsinore.

1 (2) Route 15 near Lake Elsinore to Route 215 near Perris.  
2 (3) Route 215 near Perris to the southern city limit of Palm  
3 Desert.

4 (b) The relinquished former portions of Route 74 within the  
5 Cities of Palm Desert and Perris are not state highways and are  
6 not eligible for adoption under Section 81. For the former portions  
7 of Route 74 relinquished under this subdivision, the Cities of Palm  
8 Desert and Perris shall maintain within their respective jurisdictions  
9 signs directing motorists to the continuation of Route 74 and shall  
10 ensure the continuity of traffic flow on the relinquished portions  
11 of Route 74, including any traffic signal progression.

12 (c) (1) The commission may relinquish to the City of Lake  
13 Elsinore the portion of Route 74 located within the city limits of  
14 that city, upon terms and conditions the commission finds to be  
15 in the best interests of the state.

16 (2) Any relinquishment agreement shall require that the City of  
17 Lake Elsinore administer the operation and maintenance of the  
18 highway in a manner consistent with professional traffic  
19 engineering standards.

20 (3) Any relinquishment agreement shall require the City of Lake  
21 Elsinore to ensure that appropriate traffic studies or analyses will  
22 be performed to substantiate any decisions affecting the highway.

23 (4) Any relinquishment agreement shall also require the City  
24 of Lake Elsinore to provide for public notice and the consideration  
25 of public input on the proximate effects of any proposed decision  
26 on traffic flow, residences, or businesses, other than a decision on  
27 routine maintenance.

28 (5) Notwithstanding any of its other terms, any relinquishment  
29 agreement shall require the City of Lake Elsinore to indemnify  
30 and hold the department harmless from any liability for any claims  
31 made or damages suffered by any person, including a public entity,  
32 as a result of any decision made or action taken by the City of Lake  
33 Elsinore, its officers, employees, contractors, or agents, with  
34 respect to the design, maintenance, construction, or operation of  
35 that portion of Route 74 that is to be relinquished to the city.

36 (6) A relinquishment under this subdivision shall become  
37 effective immediately after the county recorder records the  
38 relinquishment resolution that contains the commission's approval  
39 of the terms and conditions of the relinquishment.

(7) On and after the effective date of the relinquishment, both of the following shall occur:

(A) The portion of Route 74 relinquished under this subdivision shall cease to be a state highway.

(B) The portion of Route 74 relinquished under this subdivision may not be considered for future adoption under Section 81.

(8) The City of Lake Elsinore shall ensure the continuity of traffic flow on the portion of Route 74 relinquished under this subdivision, including any traffic signal progression.

(9) For portions of Route 74 relinquished under this subdivision, the City of Lake Elsinore shall maintain signs directing motorists to the continuation of Route 74.

(d) (1) Notwithstanding subdivision (a), the commission may relinquish to the City of Hemet the portion of State Highway Route 74 that is located within the city limits of the City of Hemet, upon terms and conditions the commission finds to be in the best interests of the state, if the department and the City of Hemet enter into an agreement providing for that relinquishment.

(2) A relinquishment under this subdivision shall become effective immediately following the recordation by the county recorder of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

(3) On and after the effective date of the relinquishment, both of the following shall occur:

(A) The portion of State Highway Route 74 relinquished under this subdivision shall cease to be a state highway.

(B) The portion of State Highway Route 74 relinquished under this subdivision may not be considered for future adoption under Section 81.

(4) The City of Hemet shall ensure the continuity of traffic flow on the portion of State Highway Route 74 relinquished under this subdivision, including any traffic signal progression.

(5) For portions of State Highway Route 74 relinquished under this subdivision, the City of Hemet shall maintain signs directing motorists to the continuation of State Highway Route 74.

SEC. 13. Section 382 of the Streets and Highways Code is amended to read:

382. (a) Route 82 is from Route 880 in San Jose to Route 280 in San Francisco.

(b) The relinquished former portion of Route 82 within the City of San Jose is not a state highway and is not eligible for adoption under Section 81. For the relinquished former portion of Route 82, the City of San Jose shall maintain within its jurisdiction signs directing motorists to the continuation of Route 82 and shall ensure the continuity of traffic flow on the relinquished former portion of Route 82, including any traffic signal progression. The city may apply to the department for approval of a business route designation in accordance with Chapter 20, Topic 21, of the Highway Design Manual.

SEC. 14. Section 386 of the Streets and Highways Code is amended to read:

386. (a) Route 86 is from:

(1) Route 111 to Route 8 near El Centro.

(2) Route 8 near El Centro to Route 10 in Indio via the vicinity of Brawley.

(b) Upon a determination by the commission that it is in the best interests of the state to do so, the commission may, upon terms and conditions approved by it, relinquish the following portions of Route 86, if the department and the applicable local agency enter into an agreement providing for that relinquishment, as follows:

(1) To the County of Imperial, the portions of Route 86 within unincorporated areas of the county from the beginning of the route at the junction of Route 111 to 0.5 mile south of Fredricks Road.

(2) To the City of El Centro, the portion of Route 86 within its city limits.

(3) To the City of Imperial, the portion of Route 86 within its city limits.

(4) To the City of Brawley, the portion of Route 86 within its city limits.

(c) The following conditions shall apply upon relinquishment:

(1) The relinquishment shall become effective on the date following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

(2) On and after the effective date of the relinquishment, the relinquished portions of Route 86 shall cease to be a state highway.

(3) The portions of Route 86 relinquished under this subdivision shall be ineligible for future adoption under Section 81.

1 (4) The Cities of Brawley, El Centro, and Imperial and the  
2 County of Imperial shall ensure the continuity of traffic flow on  
3 the relinquished portions of Route 86, including any traffic signal  
4 progression.

5 (5) For the portions of Route 86 that are relinquished under this  
6 subdivision, the Cities of Brawley, El Centro, and Imperial, and  
7 the County of Imperial shall install and maintain, within their  
8 respective jurisdictions, the city or county signs directing motorists  
9 to the continuation of Route 86 to the extent deemed necessary by  
10 the department.

11 (d) Following the relinquishments authorized in subdivision  
12 (b), the portion of Route 86 from 0.5 mile south of Fredricks Road  
13 to the north junction of Route 78 shall be redesignated as a part of  
14 Route 78.

15 SEC. 15. Section 430 of the Streets and Highways Code is  
16 amended to read:

17 430. (a) Route 130 is from the eastern city limit of the City of  
18 San Jose near Manning Avenue to Route 33 near Patterson via the  
19 vicinity of Mount Hamilton.

20 (b) The relinquished former portion of Route 130 within the  
21 City of San Jose is not a state highway and is not eligible for  
22 adoption under Section 81. For the relinquished former portion of  
23 Route 130, the City of San Jose shall maintain within its  
24 jurisdiction signs directing motorists to the continuation of Route  
25 130 and shall ensure the continuity of traffic flow on the  
26 relinquished former portion of Route 130, including any traffic  
27 signal progression.

28 SEC. 16. Section 622.1 of the Streets and Highways Code is  
29 amended to read:

30 622.1. Route 710 shall also include that portion of the freeway  
31 between Route 1 and the northern end of Harbor Scenic Drive,  
32 that portion of Harbor Scenic Drive to Ocean Boulevard, that  
33 portion of Ocean Boulevard west of its intersection with Harbor  
34 Scenic Drive to its junction with Seaside Boulevard, and that  
35 portion of Seaside Boulevard from the junction with Ocean  
36 Boulevard to Route 47.

37 SEC. 17. Section 890.4 of the Streets and Highways Code is  
38 amended to read:

1 890.4. As used in this article, “bikeway” means all facilities  
2 that provide primarily for bicycle travel. For purposes of this  
3 article, bikeways shall be categorized as follows:

4 (a) Class I bikeways, also known as “bike paths” or “shared-use  
5 paths,” which provide a completely separated right-of-way  
6 designated for the exclusive use of bicycles and pedestrians with  
7 crossflows by motorists minimized.

8 (b) Class II bikeways, also known as “bike lanes,” which provide  
9 a restricted right-of-way designated for the exclusive or  
10 semiexclusive use of bicycles with through travel by motor vehicles  
11 or pedestrians prohibited, but with vehicle parking and crossflows  
12 by pedestrians and motorists permitted.

13 (c) Class III bikeways, also known as onstreet or offstreet “bike  
14 routes,” which provide a right-of-way designated by signs or  
15 permanent markings and shared with pedestrians and motorists.

16 SEC. 18. Section 378 of the Vehicle Code is repealed.

17 SEC. 19. Section 379 of the Vehicle Code is repealed.

18 SEC. 20. Section 385.2 is added to the Vehicle Code, to read:

19 385.2. A “logging dolly” is a vehicle designed for carrying  
20 logs, having one or more axles that, if there are more than one, are  
21 not more than 54 inches apart, and used in connection with a motor  
22 truck solely for the purpose of transporting logs and securely  
23 connected with the towing vehicle both by a reach and by the load.

24 SEC. 21. Section 385.3 is added to the Vehicle Code, to read:

25 385.3. A “logging vehicle” is a vehicle used exclusively in the  
26 conduct of logging operations and not designed for the  
27 transportation of persons or property on a highway.

28 SEC. 22. Section 585 of the Vehicle Code is amended to read:

29 585. A “station wagon” is a dual purpose vehicle designed for  
30 the transportation of persons and also designed in such a manner  
31 that the seats may be removed or folded out of the way for the  
32 purpose of increasing the property carrying space within the  
33 vehicle. The term includes, but is not limited to, types of vehicles  
34 which carry the trade names of station wagon, estate wagon, town  
35 and country wagon, and country sedan. A vehicle used primarily  
36 for the transportation of cadavers to or from a funeral home,  
37 mortuary, or burial site is not a station wagon.

38 SEC. 23. Section 5022 of the Vehicle Code is amended to read:

39 5022. (a) Until December 31, 1984, a person described in  
40 Section 5101 may also apply for a set of commemorative 1984

1 Olympic reflectorized license plates and the department shall issue  
2 those special license plates in lieu of the regular license plates. No  
3 commemorative 1984 Olympic reflectorized license plates shall  
4 be issued pursuant to an application therefor which is submitted  
5 on or after January 1, 1985, but the holder of those plates may  
6 thereafter renew or retain them, or transfer them to another vehicle,  
7 subject to this section.

8 (b) The commemorative 1984 Olympic reflectorized license  
9 plates shall be of a distinctive design and shall be available in a  
10 special series of letters or numbers, or both, as determined by the  
11 department after consultation with the Los Angeles Olympic  
12 Organizing Committee.

13 (c) In addition to the regular fees for an original registration or  
14 renewal of registration, a special fee of twelve dollars (\$12) shall  
15 be paid for the transfer of the special plates to another vehicle.

16 (d) When payment of renewal fees is not required as specified  
17 in Section 4000, or when the person determines to retain the plates  
18 upon sale, trade, or other release of the vehicle upon which the  
19 special plates have been displayed, the person shall notify the  
20 department and the person may retain the special plates.

21 (e) Until December 31, 1989, duplicate, replacement plates shall  
22 be identical commemorative 1984 Olympic reflectorized license  
23 plates of the same letter, number, and design as originally issued.  
24 However, duplicate, replacement plates of the commemorative  
25 1984 Olympic reflectorized license plate series shall not be  
26 available on or after January 1, 1990. Thereafter, unless otherwise  
27 provided by this code, regular series plates shall be issued for the  
28 fee provided in Section 9265 whenever substitute or duplicate  
29 plates are requested.

30 (f) All revenue derived from the additional special fees provided  
31 in this section shall be deposited in the California Environmental  
32 License Plate Fund pursuant to Section 21191 of the Public  
33 Resources Code.

34 SEC. 24. Section 5023 of the Vehicle Code is amended to read:

35 5023. (a) (1) Until December 31, 2013, a person described in  
36 Section 5101 may also apply for a set of commemorative Olympic  
37 reflectorized license plates and the department shall issue those  
38 special license plates in lieu of regular license plates. The  
39 commemorative Olympic reflectorized license plates shall be of  
40 a distinctive design and shall be available in a special series of



1 letters or numbers, or both, as determined by the department after  
2 consultation with the United States Olympic Committee. The  
3 department may issue the commemorative Olympic reflectorized  
4 license plates as environmental license plates, as defined in Section  
5 5103, in a combination of numbers or letters, or both, as requested  
6 by the owner or lessee of the vehicle.

7 (2) On or after January 1, 2014, original, substitute, or duplicate  
8 Olympic license plates, including those issued as environmental  
9 license plates, shall not be available. However, the holder of  
10 Olympic license plates may thereafter renew or retain those plates,  
11 or transfer them to another vehicle, subject to this section. Unless  
12 otherwise provided by this code, regular series plates shall be  
13 issued for the fee provided in Section 9265 whenever substitute  
14 or duplicate plates are requested.

15 (3) On or after January 1, 2014, the holder of Olympic license  
16 plates issued as environmental license plates, as defined in Section  
17 5103, may apply for other special license plates using the exact  
18 combination of numbers or letters, or both, if authorized by this  
19 code, whenever the holder requests substitute or duplicate plates.

20 (b) In addition to the regular fees for an original registration or  
21 renewal of registration, the following special fees shall be paid:

22 (1) Fifteen dollars (\$15) for the transfer of the special plates to  
23 another vehicle.

24 (2) Thirty dollars (\$30) for the annual renewal of the special  
25 plates.

26 (c) When payment of renewal fees is not required as specified  
27 in Section 4000, or when the person determines to retain the plates  
28 upon sale, trade, or other release of the vehicle upon which the  
29 special plates have been displayed, the person shall notify the  
30 department and the person may retain the special plates.

31 (d) All revenue derived from the additional special fees provided  
32 in this section, less costs incurred by the department pursuant to  
33 this section, shall be deposited in the General Fund.

34 SEC. 25. Section 5068 of the Vehicle Code is amended to read:

35 5068. (a) (1) (A) A veterans' organization may apply either  
36 individually or with other veterans' organizations to meet the  
37 application threshold set forth in Section 5060 for special interest  
38 plates. An organization that meets the minimum application  
39 requirement by applying with other organizations under this  
40 subdivision shall be issued a regular license plate bearing a

1 distinctive design or decal approved under subdivision (a) of  
2 Section 5060.

3 (B) The Department of Veterans Affairs may modify the  
4 distinctive design or decal described in subparagraph (A),  
5 consistent with the design criteria imposed by Section 5060, to  
6 honor all veterans, or veterans who served in a particular war or  
7 armed conflict as described in subdivision (a) of Section 5068.1.  
8 Special interest plates issued under this section and bearing the  
9 modified design or decal shall be issued only after all existing  
10 plates have been issued.

11 (2) Any person who is the registered owner or lessee of a  
12 passenger vehicle, commercial motor vehicle, motorcycle, trailer,  
13 or semitrailer registered or certificated with the department, or any  
14 person who applies for an original registration or renewal of  
15 registration of that vehicle may apply under this section for a  
16 special interest license plate with a decal that honors all veterans  
17 or veterans who served in a particular war or armed conflict.

18 (3) Special interest license plates issued under this section may  
19 be issued in a combination of numbers or letters, or both, requested  
20 by the owner or lessee of the vehicle, to be displayed in addition  
21 to the design or decal authorized under paragraph (1), subject to  
22 Section 5105.

23 (b) In addition to the regular fees for an original registration, a  
24 renewal of registration, or a transfer of registration, the following  
25 fees shall be paid by individuals applying for a special interest  
26 license plate or a decal issued under this section:

27 (1) Fifty dollars (\$50) for the initial issuance of the plates and  
28 decals. The plates shall be permanent and shall not be required to  
29 be replaced.

30 (2) Forty dollars (\$40) for each renewal of registration that  
31 includes the continued display of the plates or decals.

32 (3) Fifteen dollars (\$15) for transfer of the plates to another  
33 vehicle.

34 (4) Thirty-five dollars (\$35) for replacement plates, if they  
35 become damaged or unserviceable.

36 (5) Ten dollars (\$10) for replacement decals, if they become  
37 damaged or unserviceable.

38 (6) Notwithstanding Section 5106, seventy-eight dollars (\$78)  
39 for the personalization of the plates, as authorized under paragraph  
40 (3) of subdivision (a).

1 (c) The department shall maintain on its Internet Web site, a  
2 link to order online the special interest license plates issued  
3 pursuant to this section.

4 SEC. 26. Section 5072 of the Vehicle Code is amended to read:

5 5072. (a) Any person described in Section 5101 may also  
6 apply for a set of “Have a Heart, Be a Star, Help Our Kids” license  
7 plates, and the department shall issue those special license plates  
8 in lieu of the regular license plates. The “Have a Heart, Be a Star,  
9 Help Our Kids” plates shall be distinct from other existing license  
10 plates by the inclusion of a well within the portion of the license  
11 plate that has the alpha-numeric sequence. The well may be placed  
12 in any position within that portion of the license plate. A heart  
13 shape, a five-pointed star, a hand shape, a plus-sign shape, shall  
14 be imprinted within the well itself. However, for purposes of  
15 processing the alpha-numeric sequence, the symbol within the well  
16 shall be read as a blank within the alpha-numeric sequence. The  
17 Department of Motor Vehicles shall cooperate with representatives  
18 of the California Highway Patrol and the Prison Industries  
19 Authority to design the final shape and dimension of the symbols  
20 for these license plates.

21 (b) An applicant for a license plate described in subdivision (a)  
22 may choose to either accept a license plate character sequence  
23 assigned by the department that includes one of the four symbols  
24 or request a specialized license plate character sequence determined  
25 by the applicant that includes one of the four symbols, in  
26 accordance with instructions which shall be provided by the  
27 department.

28 (c) In addition to the regular fees for an original registration, a  
29 renewal of registration, or a transfer of registration, the following  
30 “Have a Heart, Be a Star, Help Our Kids” license plate fees shall  
31 be paid:

32 (1) Notwithstanding Section 5106, for those specialized license  
33 plates whose character sequence is determined by the license owner  
34 or applicant:

35 (A) Fifty dollars (\$50) for the initial issuance of the plates. These  
36 plates shall be permanent and shall not be required to be replaced.

37 (B) Forty dollars (\$40) for each renewal of registration which  
38 includes the continued display of the plates.

39 (C) Fifteen dollars (\$15) for transfer of the plates to another  
40 vehicle.

1 (D) Thirty-five dollars (\$35) for replacement plates, if the plates  
2 become damaged or unserviceable.

3 (2) For those specialized license plates whose character sequence  
4 is assigned by the department:

5 (A) Twenty dollars (\$20) for the initial issuance of the plates.  
6 These plates shall be permanent and shall not be required to be  
7 replaced.

8 (B) The legally allowed fee for renewal plus fifteen dollars (\$15)  
9 for each renewal of registration, which includes the continued  
10 display of the plates.

11 (C) Fifteen dollars (\$15) for transfer of the plates to another  
12 vehicle.

13 (D) Twenty dollars (\$20) for replacement plates, if the plates  
14 become damaged or unserviceable.

15 (d) When payment of renewal fees is not required as specified  
16 in Section 4000, or when the person determines to retain the “Have  
17 a Heart, Be a Star, Help Our Kids” license plates upon sale, trade,  
18 or other release of the vehicle upon which the plates have been  
19 displayed, the person shall notify the department and the person  
20 may retain the plates.

21 (e) The revenue derived from the additional special fees  
22 provided in this section, less costs incurred by the department, the  
23 Department of the California Highway Patrol, and local law  
24 enforcement for developing and administering this license plate  
25 program pursuant to this section, shall be deposited in the Child  
26 Health and Safety Fund, created pursuant to Chapter 4.6  
27 (commencing with Section 18285) of Part 6 of Division 9 of the  
28 Welfare and Institutions Code, and, when appropriated by the  
29 Legislature shall be available for the purposes specified in that  
30 chapter.

31 (f) It is the intent of the Legislature that the additional special  
32 fees specified in subdivision (e) are not used to replace existing  
33 appropriation levels in the 1991–92 Budget Act.

34 SEC. 27. Section 5101.7 of the Vehicle Code is amended to  
35 read:

36 5101.7. (a) Until December 31, 1984, any person described  
37 in Section 5101 may also apply for a set of commemorative 1984  
38 Olympic reflectorized license plates and the department shall issue  
39 those special license plates in lieu of the regular license plates. No  
40 commemorative 1984 Olympic reflectorized license plates shall

1 be issued pursuant to an application therefor which is submitted  
2 on or after January 1, 1985, but the holder of those plates may  
3 thereafter renew or retain them, or transfer them to another vehicle,  
4 subject to this article.

5 (b) Except as provided in this section, the issue, renewal,  
6 cancellation, retention, and transfer of the commemorative 1984  
7 Olympic reflectorized license plates shall be subject to the  
8 provisions of this article as if they were environmental license  
9 plates. Until December 31, 1989, duplicate, replacement plates  
10 shall be identical commemorative 1984 Olympic reflectorized  
11 license plates of the same letter, number, and design as originally  
12 issued. On and after January 1, 1990, duplicate or replacement  
13 plates shall be provided pursuant to this article.

14 (c) Notwithstanding the color, design, and number of digit  
15 requirements of Section 5102, the department shall design the  
16 commemorative 1984 Olympic reflectorized license plates, which  
17 shall be reflectorized license plates issued pursuant to Section  
18 4850. The commemorative 1984 Olympic reflectorized license  
19 plates shall be of a distinctive design, as determined by the  
20 department after consultation with the Los Angeles Olympic  
21 Organizing Committee.

22 SEC. 28. Section 5106 of the Vehicle Code is amended to read:

23 5106. (a) In addition to the regular registration fee or a  
24 permanent trailer identification fee, the applicant shall be charged  
25 a fee of forty-eight dollars (\$48) for issuance of environmental  
26 license plates.

27 (b) In addition to the regular renewal fee or a permanent trailer  
28 identification fee for the vehicle to which the plates are assigned,  
29 the applicant for a renewal of environmental license plates shall  
30 be charged an additional fee of thirty-eight dollars (\$38). An  
31 applicant with a permanent trailer identification plate shall be  
32 charged an annual fee of thirty-eight dollars (\$38) for renewal of  
33 environmental license plates. However, applicants for renewal of  
34 prisoner-of-war special license plates issued under Section 5101.5  
35 shall not be charged the additional renewal fee under this  
36 subdivision.

37 (c) When payment of renewal fees is not required as specified  
38 in Section 4000, the holder of any environmental license plate may  
39 retain the plate upon payment of an annual fee of thirty-eight  
40 dollars (\$38). The fee shall be due at the expiration of the

1 registration year of the vehicle to which the environmental license  
2 plate was last assigned. However, applicants for retention of  
3 prisoner-of-war special license plates issued under Section 5101.5  
4 shall not be charged the additional retention fee under this  
5 subdivision.

6 (d) Notwithstanding Section 9265, the applicant for a duplicate  
7 environmental license plate shall be charged a fee of thirty-eight  
8 dollars (\$38).

9 SEC. 29. Section 12517.1 of the Vehicle Code is amended to  
10 read:

11 12517.1. (a) A “schoolbus accident” means any of the  
12 following:

13 (1) A motor vehicle accident resulting in property damage in  
14 excess of seven hundred fifty dollars (\$750) or personal injury, on  
15 public or private property, and involving a schoolbus, youth bus,  
16 school pupil activity bus, or general public paratransit vehicle  
17 transporting a pupil.

18 (2) A collision between a vehicle and a pupil or a schoolbus  
19 driver while the pupil or driver is crossing the highway when the  
20 schoolbus flashing red signal lamps are required to be operated  
21 pursuant to Section 22112 or when the schoolbus is stopped for  
22 the purpose of loading or unloading pupils ~~when Section 22112~~  
23 ~~does not apply.~~

24 (3) Injury of a pupil inside a vehicle described in paragraph (1)  
25 as a result of acceleration, deceleration, or other movement of the  
26 vehicle.

27 (b) The Department of the California Highway Patrol shall  
28 investigate all schoolbus accidents, except that accidents involving  
29 only property damage and occurring entirely on private property  
30 shall be investigated only if they involve a violation of this code.

31 SEC. 30. Section 14606 of the Vehicle Code, as added by  
32 Section 7 of Chapter 670 of the Statutes of 2012, is amended to  
33 read:

34 14606. (a) A person shall not employ, hire, knowingly permit,  
35 or authorize any person to drive a motor vehicle owned by him or  
36 her or under his or her control upon the highways unless that person  
37 is licensed for the appropriate class of vehicle to be driven.

38 (b) Whenever a person fails to qualify, on reexamination, to  
39 operate a commercial motor vehicle, an employer shall report that  
40 failure to the department within 10 days.

1 (c) An employer shall obtain from a driver required to have a  
2 commercial driver's license or commercial endorsement a copy  
3 of the driver's medical certification before allowing the driver to  
4 operate a commercial motor vehicle. The employer shall retain the  
5 certification as part of a driver qualification file.

6 (d) This section shall become operative on January 30, 2014.

7 SEC. 31. Section 42007 of the Vehicle Code is amended to  
8 read:

9 42007. (a) (1) The clerk of the court shall collect a fee from  
10 every person who is ordered or permitted to attend a traffic violator  
11 school pursuant to Section 41501 or 42005 in an amount equal to  
12 the total bail set forth for the eligible offense on the uniform  
13 countywide bail schedule. As used in this subdivision, "total bail"  
14 means the amount established pursuant to Section 1269b of the  
15 Penal Code in accordance with the Uniform Bail and Penalty  
16 Schedule adopted by the Judicial Council, including all  
17 assessments, surcharges, and penalty amounts. Where multiple  
18 offenses are charged in a single notice to appear, the "total bail"  
19 is the amount applicable for the greater of the qualifying offenses.  
20 However, the court may determine a lesser fee under this  
21 subdivision upon a showing that the defendant is unable to pay  
22 the full amount.

23 The fee shall not include the cost, or any part thereof, of traffic  
24 safety instruction offered by a traffic violator school.

25 (2) The clerk may accept from a defendant who is ordered or  
26 permitted to attend traffic violator school a payment of at least 10  
27 percent of the fee required by paragraph (1) upon filing a written  
28 agreement by the defendant to pay the remainder of the fee  
29 according to an installment payment schedule of no more than 90  
30 days as agreed upon with the court. The Judicial Council shall  
31 prescribe the form of the agreement for payment of the fee in  
32 installments. When the defendant signs the Judicial Council form  
33 for payment of the fee in installments, the court shall continue the  
34 case to the date in the agreement to complete payment of the fee  
35 and submit the certificate of completion of traffic violator school  
36 to the court. The clerk shall collect a fee of up to thirty-five dollars  
37 (\$35) to cover administrative and clerical costs for processing an  
38 installment payment of the traffic violator school fee under this  
39 paragraph.

1 (3) If a defendant fails to make an installment payment of the  
2 fee according to an installment agreement, the court may convert  
3 the fee to bail, declare it forfeited, and report the forfeiture as a  
4 conviction under Section 1803. The court may also charge a failure  
5 to pay under Section 40508 and impose a civil assessment as  
6 provided in Section 1214.1 of the Penal Code or issue an arrest  
7 warrant for a failure to pay. For the purposes of reporting a  
8 conviction under this subdivision to the department under Section  
9 1803, the date that the court declares the bail forfeited shall be  
10 reported as the date of conviction.

11 (b) Revenues derived from the fee collected under this section  
12 shall be deposited in accordance with Section 68084 of the  
13 Government Code in the general fund of the county and, as may  
14 be applicable, distributed as follows:

15 (1) In any county in which a fund is established pursuant to  
16 Section 76100 or 76101 of the Government Code, the sum of one  
17 dollar (\$1) for each fund so established shall be deposited with the  
18 county treasurer and placed in that fund.

19 (2) In any county that has established a Maddy Emergency  
20 Medical Services Fund pursuant to Section 1797.98a of the Health  
21 and Safety Code, an amount equal to the sum of each two dollars  
22 (\$2) for every seven dollars (\$7) that would have been collected  
23 pursuant to Section 76000 of the Government Code and,  
24 commencing January 1, 2009, an amount equal to the sum of each  
25 two dollars (\$2) for every ten dollars (\$10) that would have been  
26 collected pursuant to Section 76000.5 of the Government Code  
27 with respect to those counties to which that section is applicable  
28 shall be deposited in that fund. Nothing in the act that added this  
29 paragraph shall be interpreted in a manner that would result in  
30 either of the following:

31 (A) The utilization of penalty assessment funds that had been  
32 set aside, on or before January 1, 2000, to finance debt service on  
33 a capital facility that existed before January 1, 2000.

34 (B) The reduction of the availability of penalty assessment  
35 revenues that had been pledged, on or before January 1, 2000, as  
36 a means of financing a facility which was approved by a county  
37 board of supervisors, but on January 1, 2000, is not under  
38 construction.



1 (3) The amount of the fee that is attributable to Section 70372  
2 of the Government Code shall be transferred pursuant to  
3 subdivision (f) of that section.

4 (c) For fees resulting from city arrests, an amount equal to the  
5 amount of base fines that would have been deposited in the treasury  
6 of the appropriate city pursuant to paragraph (3) of subdivision  
7 (b) of Section 1463.001 of the Penal Code shall be deposited in  
8 the treasury of the appropriate city.

9 (d) The clerk of the court, in a county that offers traffic school  
10 shall include in any courtesy notice mailed to a defendant for an  
11 offense that qualifies for traffic school attendance the following  
12 statement:

13  
14 NOTICE: If you are eligible and decide not to attend traffic  
15 school your automobile insurance may be adversely affected. For  
16 drivers with a noncommercial driver's license, one conviction in  
17 any 18-month period will be held confidential and not show on  
18 your driving record if you complete a traffic violator school  
19 program. For drivers with a commercial driver's license, one  
20 conviction in any 18-month period will show on your driving  
21 record without a violation point if you complete a traffic violator  
22 school program.

23  
24 (e) Notwithstanding any other provision of law, a county that  
25 has established a Maddy Emergency Medical Services Fund  
26 pursuant to Section 1797.98a of the Health and Safety Code shall  
27 not be held liable for having deposited into the fund, prior to  
28 January 1, 2009, an amount equal to two dollars (\$2) for every ten  
29 dollars (\$10) that would have been collected pursuant to Section  
30 76000.5 of the Government Code from revenues derived from  
31 traffic violator school fees collected pursuant to this section.